

### REMARKS

Applicant appreciates the examination of the Application by the Official Action mailed August 4, 2009 (hereinafter "the Official Action"). Applicant also appreciates the indication that Claims 4, 9, 18-20, 23, 34, and 38, include patentable subject matter. *Official Action, page 10.*

Rather than re-write the allowable claims in independent form, Applicant has canceled Claims 2 and 17, and has amended the independent claims to further clarify, for example, that a transfer mode enables or disables the transfer of data even if a SIM is absent from that device. Accordingly, Applicant respectfully requests the withdrawal of all rejections and the allowance of all claims for at least the reasons described herein.

#### **The Amended Independent Claims Are Patentable Over Aerrabotu**

Claims 1-3, 5-8, 10-17, 21, 22, 24-33, and 35-37 stand rejected under 35 U.S.C. section 102(e) over U.S. Patent Publication No. 2004/0199914 by Aerrabotu et al. (Aerrabotu). *Official Action, page 3.* In response, Applicant has amended independent Claims 1, 15, 29, 31, and 32, to further distinguish the patentable subject matter recited therein relative to Aerrabotu. For example, independent Claim 1 has been amended to recite:

determining that a SIM used to store the information is absent from the electronic device; and

determining if a user selectable transfer mode for the device is enabled to allow transferring data while the SIM is absent from the electronic device. *Independent Claims 15, 29, 31, and 32 have been amended to include analogous recitations.*

As shown above, Applicant has amended independent Claim 1 to further clarify that a user selectable transfer mode is determined to either enable or disable the transfer of data when the SIM is absent. Respectfully, Aerrabotu does not disclose or suggest this specific recitation of determining if a user selectable transfer mode is enabled. To the contrary, paragraph [0033] of Aerrabotu describes that "[t]he network determines whether a valid identity is missing and whether the particular call is an emergency and should be allowed."

In contrast, in some embodiments according to the invention, the transfer mode is enabled via input by the user:

The application executed by the processor circuit 251 requests input from the user to determine whether the transfer mode should be enabled, for example, by prompting the user to input a code (Block 325). In response, the user inputs a code via, for example, the keypad 252 (Block 330). The processor circuit 251 determines whether the code input by the user is correct (Block 335). If the code entered by the user is incorrect, the application blocks the transfer of data and may prompt the user to input another code or, alternatively, may terminate operations. If the code entered by the user is correct, the transfer mode is enabled, thereby allowing the radiotelephone 20 to transfer data to/from the radiotelephone 20 via the data transfer circuit 220 (Block 340). The user can then initiate the transfer of data via the data transfer circuit 220 (Block 345). Embodiments according to the invention can, therefore, be used to migrate data from an existing radiotelephone to a new radiotelephone, where at least one of the radiotelephones 20 does not include a SIM card 225. Accordingly, the data can be transferred from the memory 253 in the existing radiotelephone 20 to a respective memory in the new radiotelephone. Moreover, the amount of data to be transferred may be so large that the data cannot be stored on the SIM card 225, where, for example, the number of contacts stored in radiotelephone precludes the contacts from being stored on the SIM card as the total storage required to store the contacts may exceed the available storage of the SIM card 225.  
*Application, page 12, line 33 to page 13, line 18.*

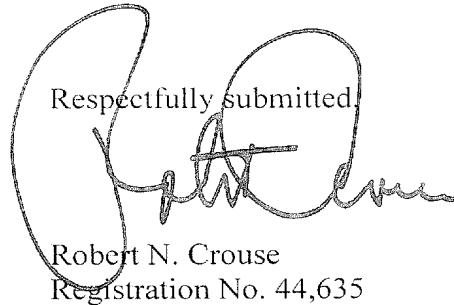
As evidenced by the above cited passage of Applicant's disclosure, in some embodiments according to the invention, the transfer mode is enabled via input by the user whereas the system in Aerrabotu determines whether an emergency call is allowed. Further, the recitations of the claims shown above to be missing from Aerrabotu are also not disclosed or suggested by U.S. Patent Publication No. 2002/0177410 by Klien (either singularly or in combination with Aerrabotu). Accordingly even if Aerrabotu were combined with Klien, the combination would still not disclose or suggest the recitations of the pending claims. Accordingly, amended independent Claims 1, 15, 29, 31, and 32 are patentable over Aerrabotu for at least these reasons. Further, the dependent claims are patentable at least per the patentability of the amended independent claims. Applicant respectfully requests the withdrawal of all rejections and the allowance of all pending claims for at least the reasons described herein.

In re: Fredrik Stenmark  
Serial No.: 10/617,325  
Filed: July 10, 2003  
Page 12 of 12

### CONCLUSION

In view of the above amendments to the claims and supporting remarks, Applicant respectfully requests withdrawal of all objections and rejections and the allowance of all claims in due course. If any informal matters arise, the Examiner is encouraged to contact the undersigned by telephone at (919) 854-1400.

Respectfully submitted,

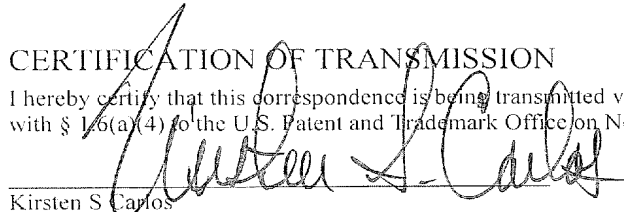


Robert N. Crouse  
Registration No. 44,635

**USPTO Customer No. 54414**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

### CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 4, 2009.



Kirsten S. Carlos